

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION**

SECURITY NATIONAL BANK, as
Conservator for JMK, a minor child,

Plaintiff,

vs.

ABBOTT LABORATORIES,

Defendant.

No. C 11-4017-MWB

VERDICT FORM

On the Conservator's claims and Abbott's specific defenses, we, the Jury,
find as follows:

I. THE CONSERVATOR'S CLAIMS			
Step 1: Verdicts	On each of the Conservator's claims, in whose favor do you find? <i>(If you find in favor of Abbott on all claims, then do not answer any further questions in Part I of the Verdict Form. Instead, go on to consider your verdict on Abbott's specific defenses in Part II.)</i>		
(a)	The "design defect" claim, explained in Instruction No. 6	<input type="checkbox"/> The Conservator	<input checked="" type="checkbox"/> Abbott
(b)	The "manufacturing defect" claim, explained in Instruction No. 7	<input type="checkbox"/> The Conservator	<input checked="" type="checkbox"/> Abbott
(c)	The "warning defect" claim, explained in Instruction No. 8	<input type="checkbox"/> The Conservator	<input checked="" type="checkbox"/> Abbott
	If you found in favor of the Conservator on the "warning defect" claim in Step 1(c) , which one or more of the following warnings do you find would have reasonably reduced the foreseeable risk of harm?		
	<input type="checkbox"/> a warning about the risk of <i>E. sak</i> bacterial infection in newborn or low birth weight babies		
	<input type="checkbox"/> a warning about the potential harm resulting from <i>E. sak</i> bacterial infection		
	<input type="checkbox"/> a warning about the availability in the marketplace of alternative, sterile liquid infant formulas		

Step 2: Compensatory Damages	<i>If you found that the Conservator won on one or more of the claims in Step 1, what amounts, if any, do you award for each of the following items of compensatory damages, as compensatory damages are explained in Instruction No. 10?</i>	
	Past medical expenses:	\$ _____
	The present value of future medical expenses:	\$ _____
	Past loss of full mind and body:	\$ _____
	The present value of future loss of full mind and body:	\$ _____
	Past pain and suffering:	\$ _____
	The present value of future pain and suffering:	\$ _____
	The present value of the loss of future earning capacity:	\$ _____
	Total Compensatory Damages	\$ _____
Step 3: Punitive Damages	<i>If you found in favor of the Conservator on the “design defect” claim in Step 1(a) and/or the “warning defect” claim in Step 1(c), and you awarded compensatory damages in Step 2, what amount, if any, do you award for “punitive damages” on that claim or those claims, as such damages are explained in Instruction No. 11? (“Punitive damages” are not available on the “manufacturing defect” claim.)</i>	
(a)	\$ _____ for punitive damages for a “design defect”	
(b)	\$ _____ for punitive damages for a “warning defect”	

II. ABBOTT’S SPECIFIC DEFENSES		
“State Of The Art” Specific Defense		
(a)	Has Abbot proved that the design of its Similac Neosure PIF was state of the art, as this defense is explained in Instruction No. 12?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(b)	Has Abbot proved that the manufacture of its Similac Neosure PIF was state of the art, as this defense is explained in Instruction No. 12?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(c)	Has Abbot proved that its warnings on its Similac Neosure PIF were state of the art, as this defense is explained in Instruction No. 12?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

"Intermediary" Specific Defense	
Has Abbott proved its "intermediary" specific defense as to the Conservator's "warning defect" claim, as this defense is explained in Instruction No. 13?	<div>Yes</div> <div><input checked="" type="checkbox"/> No</div>

1-17-14